HON'BLE SRI JUSTICE P.S. NARAYANA

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W.P.No.15914 of 2006

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Dated 31st JULY 2006

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Between:
P Laxmamma W/o late Laxmaia , 56 years
R/O Marikal village, Kulkacherla Mandal
Ranga Reddy District

… Petitioner

And:
The State Election Commissioner, rep.by its
State Election Commissioner, III Floor, Budha Bhavan
M.G.Road, Secunderabad and 3 others

… Respondents

HON'BLE SRI JUSTICE P.S. NARAYANA

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W.P.No.15914 of 2006

ORDER:

Heard the counsel.

2. This writ petition is filed to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in permitting the 4th respondent to contest the election for the post of Sarpanch, Marikal Gram Panchayat, Kulkacherla Mandal, Ranga Reddy district, as illegal and consequently direct the respondents 1 to 3 to declare the petitioner as Sarpanch, Marikal Gram Panchayat, Kulkacherla Mandal, Ranga Reddy district and pass such other suitable orders.

3. The main grievance of the petitioner is that 4th respondent had withdrawn her nomination and it was accepted by 3rd respondent and again had brought pressure on the Returning Officer to accept the nomination and now she is permitted to contest in the elections and the same is illegal. It is needless to say that the said action of the 3rd respondent is contravention of the Rules. Admittedly, the petitioner is having a remedy to approach the Election Tribunal by way of an appeal. Hence, liberty is given to the petitioner to approach the Election Tribunal and to raise her contentions by way of an appeal.

4. With the above observation, the writ petition is disposed of. No order as to costs.

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P.S. NARAYANA, J

Dated: 31st JULY 2006

BSS/MDAA